

**RECORD OF SPECIAL MEETING
ELLSWORTH CITY COUNCIL**

DATE: JUNE 06, 2014

TIME: 8:00 AM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, FORTIER, MOORE,
PERKINS AND PHILLIPS.**

CITY COUNCIL ABSENT: CROSTHWAITE

**KEY SPEAKERS PRESENT: CITY MANAGER MICHELLE BEAL AND
TAMMY MOTE.**

Call to Order.

Chairman Phillips called the special meeting of the Ellsworth City Council to order at 8:00 a.m.

Unfinished Business

Council Order #051408, Discussion and action on the Order of Condemnation for taking of land for the reconstruction of the Beechland Road. (Tabled from May 19, 2014 Regular Meeting)

Chairman Phillips explained within the presented Resolution one parcel will need to be removed. The property belonging to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latterday Saints (Tax Map 16 Lot 6) has signed the agreement just prior to this meeting.

Michelle Beal, City Manager explained that bids are being accepted this afternoon for the Beechland Reconstruction project. During the past several months a lot of work has been conducted on obtaining right of way acquisitions. Four properties have not signed the right of way acquisition agreements. Beal is requesting the Council approve the Order of Condemnation for taking of those four properties to allow the reconstruction of the Beechland Road project to begin as soon as possible. Phillips stated for the record, negotiations have been held with the four parties and offers have been made to them; however, an equitable agreement could not be reached. Beal reminded the public that two separate individuals were hired for this process. One was a certified appraiser who conducted the appraisals on the property takings and the other was a licensed real estate agent who handled the negotiations and discussions on the right of way agreements. Councilor Fortier stated the property owners could appeal the City's taking of the land directly through the Superior Court system. Beal stated next week the City will be mailing the property owners a check, along with the Order of Condemnation and a letter advising them of their rights to move forward. The amount of the check will be the offer as calculated by the City hired appraiser. The amount of the requested right of way was 8.25' in depth multiplied by the length of their property. The Order of Condemnation and taking of the property is absolute regardless of if any property owner appeals the decision to Superior Court. Phillips read the Order of

Call to Order.

Unfinished Business.

Approved - Council Order #051408, Order of Condemnation for taking of land for the reconstruction of the Beechland Road (see attachment #1) containing the following parcels: Tax Map 15 Lot 28, Tax Map 15 Lot 70, Tax Map 15 Lot 63-2, and Tax Map 16 Lot 9.

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Condemnation into the record (see attachment #1). Phillips stated for the record in Section 5 of the listing the Latterday Saints Church Trust 50E. North Temple Salt Lake City, UT 84150 Tax Map 16 Lot 6 has accepted the offer, signed and does need to be removed from this Order of Condemnation. Fortier listed the parcels of taking as: Tax Map 15 Lot 28, Tax Map 15 Lot 70, Tax Map 15 Lot 63-2, and Tax Map 16 Lot 9.

On a motion by Fortier, seconded by Beatham, it was unanimously

RESOLVED to approve Council Order #051408, Order of Condemnation for taking of land for the reconstruction of the Beechland Road (see attachment #1) containing the following parcels: Tax Map 15 Lot 28, Tax Map 15 Lot 70, Tax Map 15 Lot 63-2, and Tax Map 16 Lot 9.

Adjournment.

On a motion by Fortier, seconded by Beatham, it was unanimously

RESOLVED to approve adjournment at 8:08 AM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

**Approved -
Adjournment at 8:08
AM.**